



ARIZONA HOUSE OF REPRESENTATIVES

Fifty-fifth Legislature
First Regular Session

Senate: GOV DPA 5-3-0-0 | 3rd Read 16-14-0-0

House: GE DP 7-6-0-0

SCR 1003: executive orders; emergencies; reauthorization; termination

Sponsor: Senator Petersen, LD 12

House Engrossed

Overview

Outlines constitutional requirements for the termination of a state of emergency proclaimed by the Governor.

History

The Governor is authorized by statute to proclaim a state of emergency which will take effect immediately in an area affected or likely to be affected if the Governor finds that circumstances outlined in statute exist. During a state of emergency the Governor has complete authority over all agencies of the state government and may direct all agencies of the state government to use and employ state personnel, equipment and facilities to perform any activities designed to prevent or alleviate actual and threatened damage due to the emergency. The powers that are granted to the Governor with respect to a state of emergency are terminated when the state of emergency has been terminated by proclamation of the Governor or by concurrent resolution of the Legislature declaring it at an end ([A.R.S. § 26-303](#)).

Provisions

1. Authorizes the Governor to proclaim a state of emergency as provided by law.
2. Stipulates that a state of emergency, except for a state of war emergency, terminates by proclamation of the Governor or by concurrent resolution of the Legislature.
3. Directs the Governor to call a special session to assemble the Legislature within 10 days to determine whether to terminate or modify the state of emergency and to address matters by enacting laws or issuing legislative orders.
4. Asserts that legislative orders have the same authority as executive orders.
5. Outlines the powers, processes and procedures of the Legislature when called into a special session during a state of emergency.
6. Specifies that a special session may not adjourn until the state of emergency that caused the special session is terminated.
7. Provides requirements for when the Governor protests any actions due to the issuance of a legislative order or terminations or modifications of an executive order.
8. Prohibits the Governor, if the Legislature terminates a state of emergency, from proclaiming a new state of emergency arising out of the same conditions.
9. Stipulates that if the proclaimed state of emergency is terminated by the Legislature, the Governor may not proclaim a new state of emergency arising out of the same conditions for which the terminated state of emergency was proclaimed.

☐ Prop 105 (45 votes)

☐ Prop 108 (40 votes)

☐ Emergency (40 votes)

☐ Fiscal Note

10. Directs the Secretary of State to submit this proposition to the voters at the next general election.
11. Makes technical and conforming changes.